

LOCAL VESSELS ADVISORY COMMITTEE
Sub-committees on Classes III Vessels

Amendment to Rules associated with Local Certificate of Competency

Purpose

This paper seeks the views of member on the proposals to amend the Merchant Shipping (Local Vessels) (Local certificates of Competency) Rules, Schedule 2 endorsements on local certificates of competency.

Background

2. Since 2004, Marine Department and Mainland authority have mutually recognized the fishing vessel master or engineer certificates of competency (CoC) issued by the two Administrations. The recognition applies to HK licensed Class III fishing vessels registered as a “Guangdong/Hong Kong mobile fishing vessel” in the Mainland when they operate within the Guangdong waters. Due to the entry into force of the “Measures of the People’s Republic of China for the Administration of Seaman in the Fishery Industry” on 1 January 2015, the previous Fishery Vessel Officer’s Certificates issued by the recognized authority is being phased out gradually, eventually ceased effective by 31 December 2019 and replace by the new Fishery Vessel Personnel Certificates.

Proposals

3. To continue the arrangement on recognizing the CoC issued by the Mainland authority under the new Measures, the equivalent grading of local certificates issued under Merchant Shipping (Local Vessels) Ordinance, Cap 548 is prepared at Annex 1.

4. The amendment to Schedule 2 “Endorsements on Local Certificates of Competency” of the Merchant Shipping (Local Vessels) (Local Certificates of Competency) Rules is proposed at Annex 2.

Advice Sought

5. Members are invited to give their views on the proposed amendment.

Shipping Division
Marine Department
April 2017

People's Republic of China Fishing Vessel Personnel Certificate
issued by the Guangdong Provincial Marine and Fisheries Inspection Bureau
Conversion table of the length / power of the fishing vessel

People's Republic of China Fishing Vessel Personnel Certificate				Guangdong/ Hong Kong mobile fishing vessels issued under local certificates of competency
Types	Posts	Grades	Applicable to Fishing Vessels in Mainland Waters	Applicable to Fishing Vessels in Hong Kong Waters
Proposed arrangement				
Seagoing	Master	Grade 1	Fishing vessel of length 45 m or more	Class III fishing vessel, fish carrier, or fishing sampan of length overall less than 50 m
		Grade 2	Fishing vessel of length less than 45 m	Class III fishing vessel, fish carrier, or fishing sampan of length overall less than 45 m
		Grade 3	Fishing vessel of length less than 24 m	Class III fishing vessel, fish carrier, or fishing sampan of length overall less than 24 m
	Chief Engineer	Grade 1	Fishing Vessel with total main propulsion engine power 750 kW or more	Class III fishing vessel, fish carrier, or fishing sampan with total main propulsion engine power less than 3 000 kW
		Grade 2	Fishing Vessel with total main propulsion engine power less than 750 kW	Class III fishing vessel, fish carrier, or fishing sampan with total main propulsion engine power less than 750 kW
		Grade 3	Fishing Vessel with total main propulsion engine power less than 250 kW	Class III fishing vessel, fish carrier, or fishing sampan with total main propulsion engine power less than 250 kW

Merchant Shipping (Local Vessels) (Local Certificates of Competency) Rules

No.	Original Context	Proposed Amendments	Reason(s) for Proposed Amendments
Updates or New Measures			
Schedule 2 Item 1.	<p>Local certificate of competency Coxswain Grade 3 Certificate</p> <p>Endorsements</p> <p>(g) The holder of this certificate is restricted to act as the coxswain of a Class III fishing vessel, fish carrier, or fishing sampan which is a Guangdong/Hong Kong mobile fishing vessel subject to the following conditions:</p> <p>(i) The holder of this certificate shall present his “recognized certificate”, which is a valid Type A (Restricted Waters) Grade 3 (Master) Fishery Vessel Officer’s Certificate issued by the Bureau of Fishing Port</p>	<p>Local certificate of competency Coxswain Grade 3 Certificate</p> <p>Endorsements</p> <p>(g) The holder of this certificate is restricted to act as the coxswain of a Class III fishing vessel, fish carrier, or fishing sampan which is a Guangdong/Hong Kong mobile fishing vessel subject to the following conditions:</p> <p>(i) The holder of this certificate shall present his “recognized certificate”, which is a valid Fishing Vessel Personnel Certificate (Grade 1 Master) issued by the Guangdong Provincial Marine and Fisheries Inspection Bureau, to authorized officer for inspection;</p>	<p>(Updated)</p> <p>The name of certificate and issuing authority to be updated.</p>

	<p>Superintendence of Guangdong, PRC, to authorized officer for inspection;</p> <p>(ii) overall length of the vessel is not more than 50 m; and</p> <p>(iii) this certificate expires on the expiry date of the “recognized certificate” stated in sub-paragraph (i) of this paragraph.</p> <p>(h) The holder of this certificate is restricted to act as the coxswain of a Class III fishing vessel, fish carrier, or fishing sampan which is a Guangdong/Hong Kong mobile fishing vessel subject to the following conditions:</p> <p>(i) The holder of this certificate shall present his “recognized certificate”, which is a valid Type A (Restricted Waters) Grade 4 (Master) Fishery Vessel Officer’s Certificate issued by the Bureau of Fishing Port Superintendence of Guangdong, PRC, to authorized officer for</p>	<p>(ii) overall length of the vessel is less than 50 m; and</p> <p>(iii) this certificate expires on the expiry date of the “recognized certificate” stated in sub - paragraph (i) of this paragraph.</p> <p>(h) The holder of this certificate is restricted to act as the coxswain of a Class III fishing vessel, fish carrier, or fishing sampan which is a Guangdong/Hong Kong mobile fishing vessel subject to the following conditions:</p> <p>(i) The holder of this certificate shall present his “recognized certificate”, which is a valid Fishing Vessel Personnel Certificate (Grade 2 Master) issued by the Guangdong Provincial Marine and Fisheries Inspection Bureau, to authorized officer for inspection;</p> <p>(ii) overall length of the vessel is less than 45 m; and</p> <p>(iii) this certificate expires on the expiry date of the “recognized certificate” stated in sub - paragraph (i) of this</p>	<p>To in line with the “recognized certificate”, the wording is changed from “not more” to “less”.</p> <p>The name of certificate and issuing authority to be updated.</p> <p>To in line with the “recognized certificate”, the limitation is changed from “not more than 35 m” to “less than 45 m”.</p>
--	---	--	--

	<p>inspection;</p> <p>(ii) overall length of the vessel is not more than 35 m; and</p> <p>(iii) this certificate expires on the expiry date of the “recognized certificate” stated in sub-paragraph (i) of this paragraph.</p> <p>(i) The holder of this certificate shall comply with the following conditions:</p> <p>(i) To have a physically fitted person to assist the certificate holder to perform duties that cannot be physically carried out by the certificate holder;</p> <p>(ii) that person must be briefed by the certificate holder about the knowledge on emergency handling onboard at the time the person first joins the vessel;</p> <p>(iii) evidence showing the agreement of that person to perform the duties and being briefed of emergency handling knowledge must be kept onboard for inspection by</p>	<p>paragraph.</p> <p>(i) The holder of this certificate is restricted to act as the coxswain of a Class III fishing vessel, fish carrier, or fishing sampan which is a Guangdong/Hong Kong mobile fishing vessel subject to the following conditions:</p> <p>(i) The holder of this certificate shall present his “recognized certificate”, which is a valid Fishing Vessel Personnel Certificate (Grade 3 Master) issued by the Guangdong Provincial Marine and Fisheries Inspection Bureau, to authorized officer for inspection;</p> <p>(ii) overall length of the vessel is less than 24 m; and</p> <p>(iii) this certificate expires on the expiry date of the “recognized certificate” stated in sub - paragraph (i) of this paragraph.</p> <p>(j) The holder of this certificate may also act as the coxswain of a Class III fishing vessel, fish carrier, or fishing sampan which is a Guangdong/Hong Kong mobile fishing</p>	<p>A new endorsement on certificate of competency is added.</p> <p>Re-numbering</p>
--	---	---	---

	<p>authorized officer; and</p> <p>(iv) no fare paying passenger is allowed onboard.</p> <p>(j) The holder of this certificate of this paragraph is restricted to act as the coxswain of a Class III vessel of not more than 10 m in length subject to the following conditions:</p> <p>(i) Another person to perform lookout duty is required while the certificate holder is plying the vessel in waters of congested marine traffic such as typhoon shelter and anchorage etc.; and</p> <p>(ii) no fare paying passenger is allowed onboard.</p> <p>(k) The holder of this certificate may also act as the engine operator of a Class III vessel fitted with petrol outboard engine(s) of aggregate power not more than 90 braked horse power (BHP).</p> <p>(l) The holder of this certificate may also act as the coxswain of (name, certificate of ownership number and length overall</p>	<p>vessel subject to the following conditions:</p> <p>(i) The holder of this certificate shall present his “recognized certificate”, which is a valid Fishing Vessel Personnel Certificate (Grade 1 Master) issued by the Guangdong Provincial Marine and Fisheries Inspection Bureau, to authorized officer for inspection;</p> <p>(ii) overall length of the vessel is less than 50 m; and</p> <p>(iii) this endorsement expires on the expiry date of the “recognized certificate” stated in sub - paragraph (i) of this paragraph.</p> <p>(k) The holder of this certificate may also act as the coxswain of a Class III fishing vessel, fish carrier, or fishing sampan which is a Guangdong/Hong Kong mobile fishing vessel subject to the following conditions:</p> <p>(i) The holder of this certificate shall present his “recognized certificate”, which is a valid Fishing Vessel Personnel Certificate (Grade 2 Master)</p>	<p>The name of certificate and issuing authority to be updated.</p> <p>To in line with the “recognized certificate”, the wording is changed from “not more” to “less”.</p> <p>Re-numbering</p> <p>The name of certificate and issuing authority to be updated.</p>
--	--	---	--

	<p>of the vessel).</p> <p>(m) The holder of this certificate is not allowed to operate any vessel-</p> <p>(i) in, near or pass through-</p> <p>(a) fairways used by ocean going shipping (except in designated areas);</p> <p>(b) traffic separation schemes; and dynamically supported craft route.</p> <p>(ii) from one permitted area to another; and</p> <p>(iii) in adverse weather conditions.</p> <p>(Note: operators should not commence voyages in fog or when the strong monsoon signal or No. 3 or higher typhoon signal is hoisted.)</p> <p>(n) The holder of this certificate may also act as the coxswain of a Class III fishing vessel, fish carrier, or fishing sampan which is a Guangdong/Hong Kong mobile fishing vessel subject to the following conditions:</p>	<p>issued by the Guangdong Provincial Marine and Fisheries Inspection Bureau, to authorized officer for inspection;</p> <p>(ii) overall length of the vessel is less than 45 m; and</p> <p>(iii) this endorsement expires on the expiry date of the “recognized certificate” stated in sub - paragraph (i) of this paragraph.</p> <p>(l) The holder of this certificate may also act as the coxswain of a Class III fishing vessel, fish carrier, or fishing sampan which is a Guangdong/Hong Kong mobile fishing vessel subject to the following conditions:</p> <p>(i) The holder of this certificate shall present his “recognized certificate”, which is a valid Fishing Vessel Personnel Certificate (Grade 3 Master) issued by the Guangdong Provincial Marine and Fisheries Inspection Bureau, to authorized officer for inspection;</p> <p>(ii) overall length of the vessel is less than</p>	<p>To in line with the “recognized certificate”, the limitation is changed from “not more than 35 m” to “less than 45 m”.</p> <p>A new endorsement on certificate of competency is added.</p>
--	--	---	---

	<p>Waters) Grade 4 (Master) Fishery Vessel Officer's Certificate issued by the Bureau of Fishing Port Superintendence of Guangdong, PRC, to authorized officer for inspection;</p> <p>(ii) overall length of the vessel is not more than 35 m; and</p> <p>(iii) this endorsement expires on the expiry date of the "recognized certificate" stated in sub-paragraph (i) of this paragraph.</p> <p>(p) The holder of this certificate may also act as the Coxswain of a Class III vessel in excess of 15 m in length.</p>	<p>coxswain of a Class III vessel of not more than 10 m in length subject to the following conditions:</p> <p>(i) Another person to perform lookout duty is required while the certificate holder is plying the vessel in waters of congested marine traffic such as typhoon shelter and anchorage etc.; and</p> <p>(ii) no fare paying passenger is allowed onboard.</p> <p>(o) The holder of this certificate may also act as the engine operator of a Class III vessel fitted with petrol outboard engine(s) of aggregate power not more than 90 braked horse power (BHP).</p> <p>(p) The holder of this certificate may also act as the coxswain of (name, certificate of ownership number and length overall of the vessel).</p> <p>(q) The holder of this certificate is not allowed to operate any vessel-</p> <p>(i) in, near or pass through-</p> <p>(a) fairways used by ocean going shipping (except in designated</p>	<p>Re-numbering</p> <p>Re-numbering</p> <p>Re-numbering</p>
--	--	---	---

		<p>areas);</p> <p>(b) traffic separation schemes; and dynamically supported craft route.</p> <p>(ii) from one permitted area to another; and</p> <p>(iii) in adverse weather conditions.</p> <p>(Note: operators should not commence voyages in fog or when the strong monsoon signal or No. 3 or higher typhoon signal is hoisted.)</p> <p>(r) The holder of this certificate may also act as the Coxswain of a Class III vessel in excess of 15 m in length.</p>	Re-numbering
Schedule 2 Item 6.	<p>Local certificate of competency Engine Operator Grade 3 Certificate</p> <p>Endorsements</p> <p>(c) The holder of this certificate is restricted to act as the engine operator of a Class III fishing vessel, fish carrier, or fishing sampan which is a Guangdong/Hong Kong mobile fishing vessel subject to the following conditions:</p>	<p>Local certificate of competency Engine Operator Grade 3 Certificate</p> <p>Endorsements</p> <p>(c) The holder of this certificate is restricted to act as the engine operator of a Class III fishing vessel, fish carrier, or fishing sampan which is a Guangdong/Hong Kong mobile fishing vessel subject to the following conditions:</p> <p>(i) The holder of this certificate shall</p>	<p>(Updated)</p> <p>The name of certificate and</p>

	<p>(i) The holder of this certificate shall present his “recognized certificate”, which is a valid Type A (Restricted Waters) Grade 2 (Chief Engineer) Fishery Vessel Officer’s Certificate issued by the Bureau of Fishing Port Superintendence of Guangdong, PRC, to authorized officer for inspection;</p> <p>(ii) aggregate power of the vessel is not exceeding 3 000 kW;</p> <p>(iii) this certificate expires on the expiry date of the “recognized certificate” stated in sub-paragraph (i) of this paragraph.</p> <p>(d) The holder of this certificate is restricted to act as the engine operator of a Class III fishing vessel, fish carrier, or fishing sampan which is a Guangdong/Hong Kong mobile fishing vessel subject to the following conditions:</p> <p>(i) The holder of this certificate shall present his “recognized certificate”,</p>	<p>present his “recognized certificate”, which is a valid Fishing Vessel Personnel Certificate (Grade 1 Chief Engineer) issued by the Guangdong Provincial Marine and Fisheries Inspection Bureau, to authorized officer for inspection;</p> <p>(ii) aggregate power of the vessel is less than 3 000 kW;</p> <p>(iii) this certificate expires on the expiry date of the “recognized certificate” stated in sub - paragraph (i) of this paragraph.</p> <p>(d) The holder of this certificate is restricted to act as the engine operator of a Class III fishing vessel, fish carrier, or fishing sampan which is a Guangdong/Hong Kong mobile fishing vessel subject to the following conditions:</p> <p>(i) The holder of this certificate shall present his “recognized certificate”, which is a valid Fishing Vessel Personnel Certificate (Grade 2 Chief Engineer) issued by the Guangdong</p>	<p>issuing authority to be updated.</p> <p>To in line with the “recognized certificate”, the wording is changed from “not exceeding” to “less than”.</p> <p>The name of certificate and issuing authority to be updated.</p>
--	---	---	--

	<p>which is a valid Type A (Restricted Waters) Grade 3 (Chief Engineer) Fishery Vessel Officer’s Certificate issued by the Bureau of Fishing Port Superintendence of Guangdong, PRC, to authorized officer for inspection;</p> <p>(ii) aggregate power of the vessel is not exceeding 750 kW;</p> <p>(iii) this certificate expires on the expiry date of the “recognized certificate” stated in sub-paragraph (i) of this paragraph.</p> <p>(e) The holder of this certificate is restricted to act as the engine operator of a Class III fishing vessel, fish carrier, or fishing sampan which is a Guangdong/Hong Kong mobile fishing vessel subject to the following conditions:</p> <p>(i) The holder of this certificate shall present his “recognized certificate”, which is a valid Type A (Restricted Waters) Grade 4 (Chief Engineer)</p>	<p>Provincial Marine and Fisheries Inspection Bureau, to authorized officer for inspection;</p> <p>(ii) aggregate power of the vessel is less than 750 kW;</p> <p>(iii) this certificate expires on the expiry date of the “recognized certificate” stated in sub - paragraph (i) of this paragraph.</p> <p>(e) The holder of this certificate is restricted to act as the engine operator of a Class III fishing vessel, fish carrier, or fishing sampan which is a Guangdong/Hong Kong mobile fishing vessel subject to the following conditions:</p> <p>(i) The holder of this certificate shall present his “recognized certificate”, which is a valid Fishing Vessel Personnel Certificate (Grade 3 Chief Engineer) issued by the Guangdong Provincial Marine and Fisheries Inspection Bureau, to authorized officer for inspection;</p> <p>(ii) aggregate power of the vessel is less</p>	<p>To in line with the “recognized certificate”, the wording is changed from “not exceeding” to “less than”.</p> <p>The name of certificate and issuing authority to be updated.</p> <p>To in line with the “recognized</p>
--	---	---	---

	<p>Fishery Vessel Officer’s Certificate issued by the Bureau of Fishing Port Superintendence of Guangdong, PRC, to authorized officer for inspection;</p> <p>(ii) aggregate power of the vessel is not exceeding 250 kW;</p> <p>(iii) this certificate expires on the expiry date of the “recognized certificate” stated in sub-paragraph (i) of this paragraph.</p> <p>(f) The holder of this certificate may also act as the engine operator of a Class III fishing vessel, fish carrier, or fishing sampan which is a Guangdong/Hong Kong mobile fishing vessel subject to the following conditions:</p> <p>(i) The holder of this certificate shall present his “recognized certificate”, which is a valid Type A (Restricted Waters) Grade 2 (Chief Engineer) Fishery Vessel Officer’s Certificate issued by the Bureau of Fishing Port Superintendence of</p>	<p>than 250 kW;</p> <p>(iii) this certificate expires on the expiry date of the “recognized certificate” stated in sub - paragraph (i) of this paragraph.</p> <p>(f) The holder of this certificate may also act as the engine operator of a Class III fishing vessel, fish carrier, or fishing sampan which is a Guangdong/Hong Kong mobile fishing vessel subject to the following conditions:</p> <p>(i) The holder of this certificate shall present his “recognized certificate”, which is a valid Fishing Vessel Personnel Certificate (Grade 1 Chief Engineer) issued by the Guangdong Provincial Marine and Fisheries Inspection Bureau, to authorized officer for inspection;</p> <p>(ii) aggregate power of the vessel is less than 3 000 kW;</p> <p>(iii) this endorsement expires on the expiry date of the “recognized certificate” stated in sub - paragraph (i) of this paragraph.</p>	<p>certificate”, the wording is changed from “not exceeding” to “less than”.</p> <p>The name of certificate and issuing authority to be updated.</p> <p>To in line with the “recognized certificate”, the wording is changed from “not exceeding” to “less than”.</p>
--	---	---	---

		<ul style="list-style-type: none"> (i) The holder of this certificate shall present his “recognized certificate”, which is a valid Fishing Vessel Personnel Certificate (Grade 2 Chief Engineer) issued by the Guangdong Provincial Marine and Fisheries Inspection Bureau, to authorized officer for inspection; (ii) aggregate power of the vessel is less than 750 kW; (iii) this endorsement expires on the expiry date of the “recognized certificate” stated in sub - paragraph (i) of this paragraph. <p>(i) The holder of this certificate may also act as the engine operator of a Class III fishing vessel with engine(s) (without restrictions).</p>	<p>Re-numbering</p>
--	--	--	---------------------